

01-15-04

1 RCE 2878

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

John Barry FITZGERALD

Application No: 09/965,072

Filed: September 27, 2001

For: SCALE MONITOR

) Customer No.: 37003

) Group Art Unit: 2878

) Examiner: Otilia Gabor

) Docket No.: US57.0373

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL  
UNDER 37 CFR §1.114**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 CFR §1.114 of the above-identified application.

**1. Submission required under 37 CFR §1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s) iv. ☐ Other:

**2. Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)

b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR §1.114 when the RCE is filed.


a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments **Deposit Account No. 19-0615**

i.. ☒ RCE fee of \$770.00 required under 37 CFR §1.17(e)

ii. ☐ Extension of time fee for \_\_\_\_\_ months of \$\_\_\_\_\_ (37 CFR §1.136 and §1.17)

iii. ☐ Other \_\_\_\_\_

Respectfully submitted,

  
William B. Batzer  
Registration No. 37,088

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Date: January 14, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/965,072  
Applicant : Fitzgerald, John Barry  
Filed : 27 September 2001  
Title : SCALE MONITOR  
TC/A.U. : 2878  
Examiner : Gabor, Otilia  
Docket N° : 57.0373 US NP

**PRELIMINARY AMENDMENT**

Honorable Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination of the RCE application, please amend the above-identified application and enter the remarks as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 6 of this paper.